

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
PLANO DIVISION**

TRAXXAS, LP

Plaintiff,

v.

**INTERNATIONAL TOY SALES AND
DISTRIBUTION COMPANY, and**

NEW BRIGHT INDUSTRIAL COMPANY, LTD.

Defendants.

CASE NO. 4:08-CV-00452

JURY TRIAL DEMANDED

RULE 41 NOTICE OF DISMISSAL WITH PREJUDICE

TO THE COURT:

Plaintiff Traxxas, LP (“Traxxas”) files this Notice of Dismissal With Prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i).

In the interest of resolving the dispute between them, Traxxas and Defendants International Toy Sales and Distribution Company and New Bright Industrial Company, Ltd. have agreed that Traxxas shall and hereby does dismiss this action in its entirety with prejudice.

Each party will bear its own costs and attorneys’ fees.

This case is not a class action or derivative action, it does not involve an unincorporated association, a receiver has not been appointed, and Defendants have not served an answer or motion for summary judgment. This action is not governed by any federal statute that requires court approval of a settlement in order to dismiss the case.

Dated: March 26, 2009

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 26th day of March, 2009.

/s/ Tanya L. Chaney